

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

STEVEN GUY WELTY,

Plaintiff,

v.

DEBRA TONHOFFER, et al.,

Defendant.

CASE NO. 3:19-CV-6229-BHS-DWC

REPORT AND RECOMMENDATION

Noting Date: March 27, 2020

The District Court has referred this 42 U.S.C. § 1983 action to United States Magistrate Judge David W. Christel. Plaintiff Steven Guy Welty, proceeding *pro se*, filed an application to proceed *in forma pauperis* (“IFP”) on December 20, 2019. Dkt. 1. On December 23, 2019, the Clerk of Court sent Plaintiff a letter notifying Plaintiff that he failed to submit the proper application to proceed IFP. Dkt. 2. On January 8, 2020, Plaintiff filed a second application to proceed IFP. Dkt. 4. The Clerk of the Court sent Plaintiff a second deficiency notice informing Plaintiff that he failed to complete to provide a copy of his prison trust account statement. Dkt. 5. The Clerk of Court instructed Plaintiff to submit a complete application to proceed IFP. *Id.* The

1 Clerk of Court warned Plaintiff that if he did not respond to the letter by February 10, 2020, the  
2 action may be subject to dismissal. *Id.*

3 Plaintiff has not responded to the Clerk of Court's letter, has not paid the filing fee, and  
4 has not filed a complete application to proceed IFP. As Plaintiff has failed to prosecute this case,  
5 the Court recommends this case be dismissed without prejudice.

6 Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil  
7 Procedure, the parties shall have fourteen (14) days from service of this Report to file written  
8 objections. *See also* Fed. R. Civ. P. 6. Failure to file objections will result in a waiver of those  
9 objections for purposes of appeal. *Thomas v Arn*, 474 U.S. 140 (1985). Accommodating the time  
10 limit imposed by Rule 72(b), the Clerk is directed to set the matter for consideration on March  
11 27, 2020 as noted in the caption.

12 Dated this 4th day of March, 2020.

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15 David W. Christel  
16 United States Magistrate Judge  
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